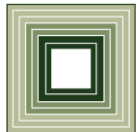


# The Administrative Office of the Courts: Overview

William Childs  
Fiscal Research Division



**FISCAL RESEARCH DIVISION**  
A Staff Agency of the North Carolina General Assembly

# JPS General Fund Budget by Agency FY 2014-15



Appropriation: \$2.4 billion  
Receipts: \$235 million  
**Total GF Budget: \$2.6 billion**

Source: NCAS, December 31, 2014 Authorized Budget

# AOC

## Administrative Office of the Courts (AOC)

### Administrative arm of the court system

*Mark Martin, Chief Justice*

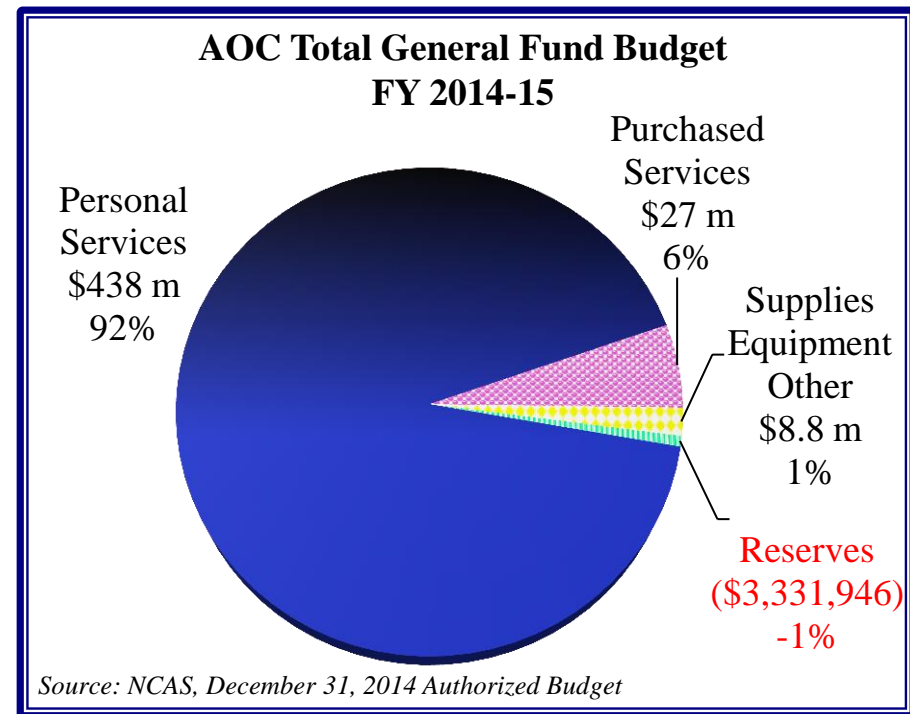
*John Smith, Director of AOC*

#### Includes:

- Supreme Court and Court of Appeals
- Superior courts
- District courts
- District Attorneys
- Magistrates
- Clerks
- **533 Elected Officials**

**Total General Fund Budget: \$469 million**

**Total FTE Employees: 5,831.3**



# The North Carolina General Court of Justice, pre-unification



- Dates to State constitution of 1776
- Supreme Court created in 1805
- Circuit courts (now superior courts) grew from six to 30 districts between 1868 and 1955

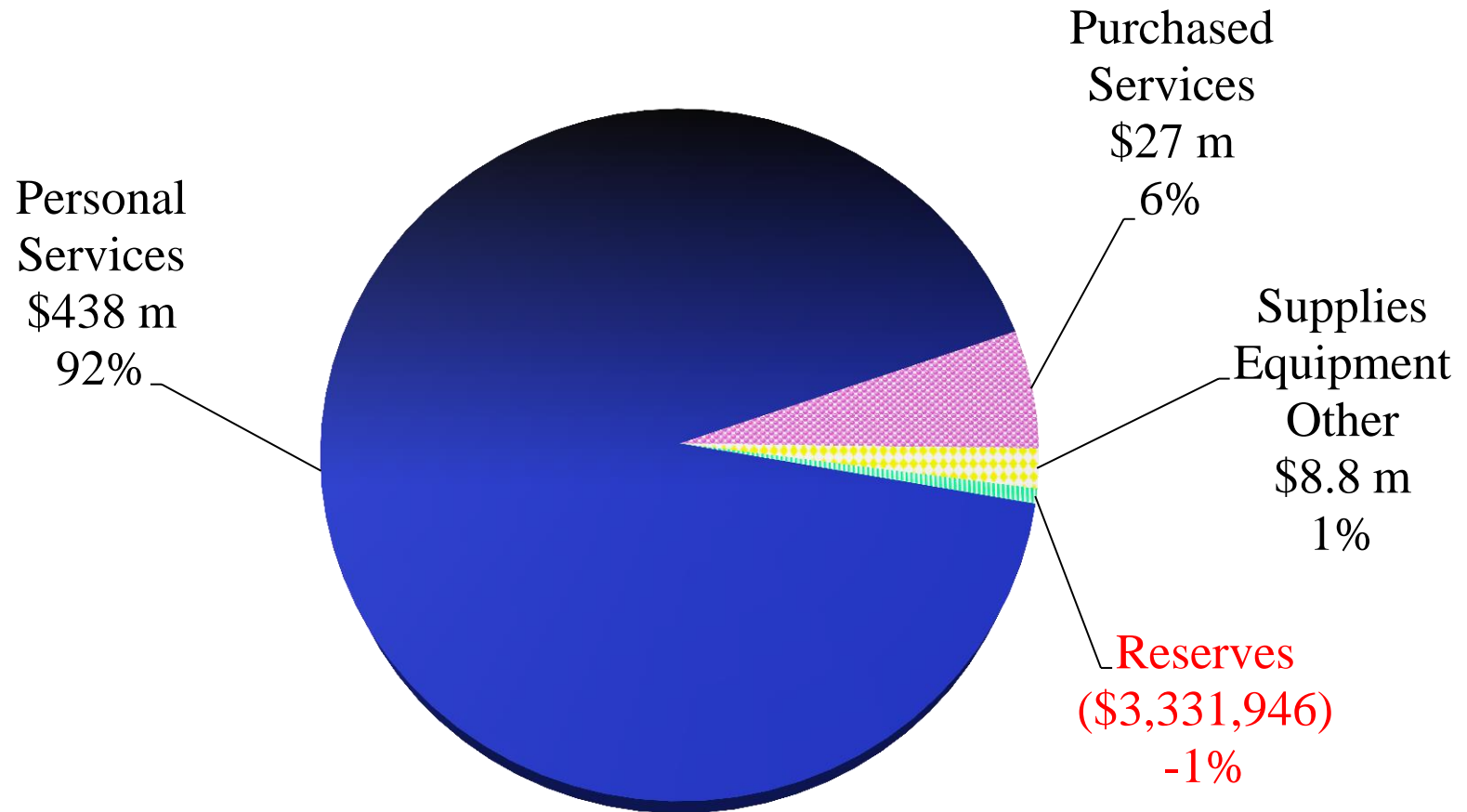
# The North Carolina General Court of Justice, unified



- Established by legislation in 1966
- 30 districts originally: superior, district, prosecutorial concurrent
- State administers court personnel and operational budget
- Local governments provide courthouse
- 25 other states & territories have a unified court system

# AOC General Fund Budget By Account FY 2014-15

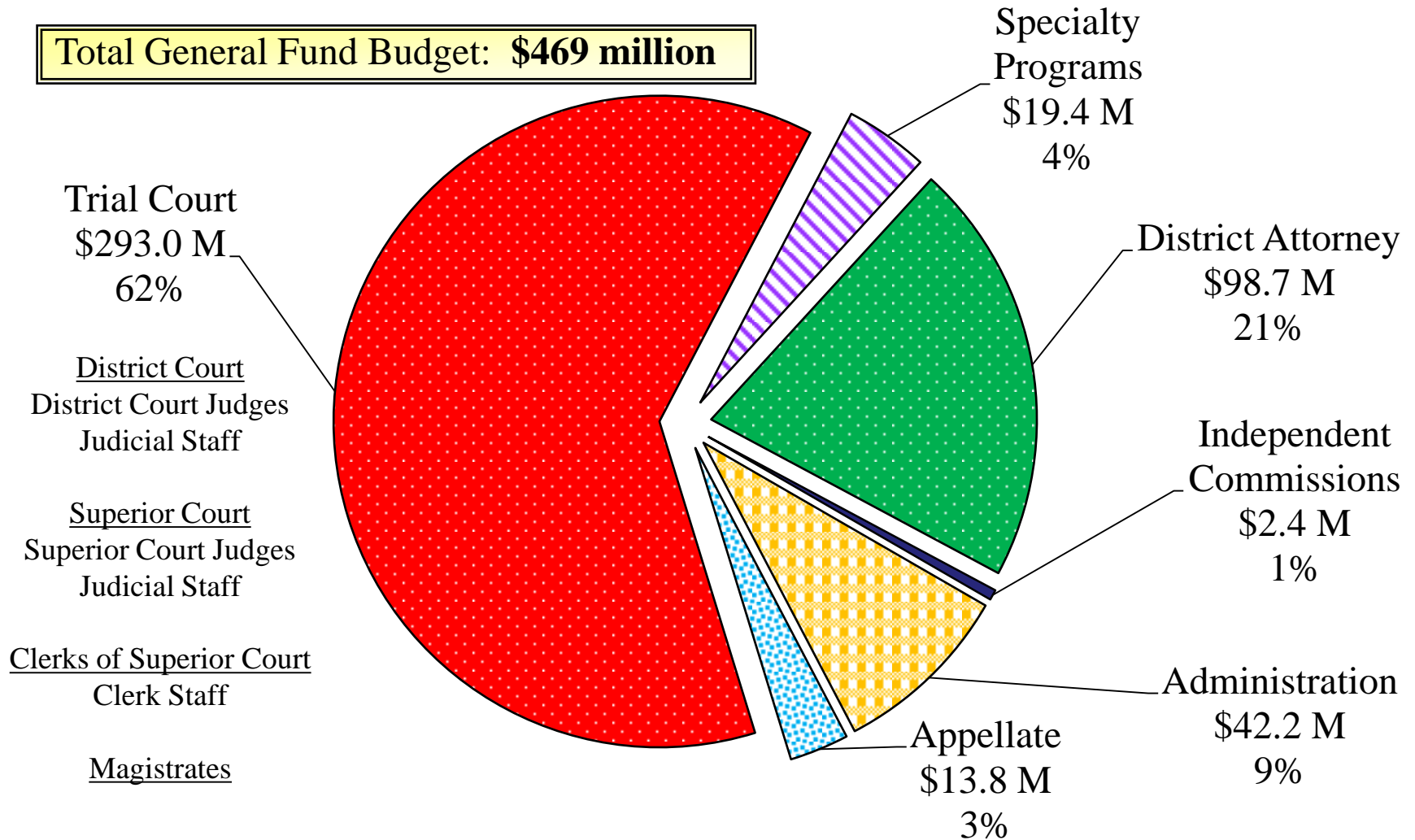
Total General Fund Budget: **\$469 million**



Source: NCAS, Authorized Budget, December 31, 2014

# AOC Budget By Program FY 2014-15

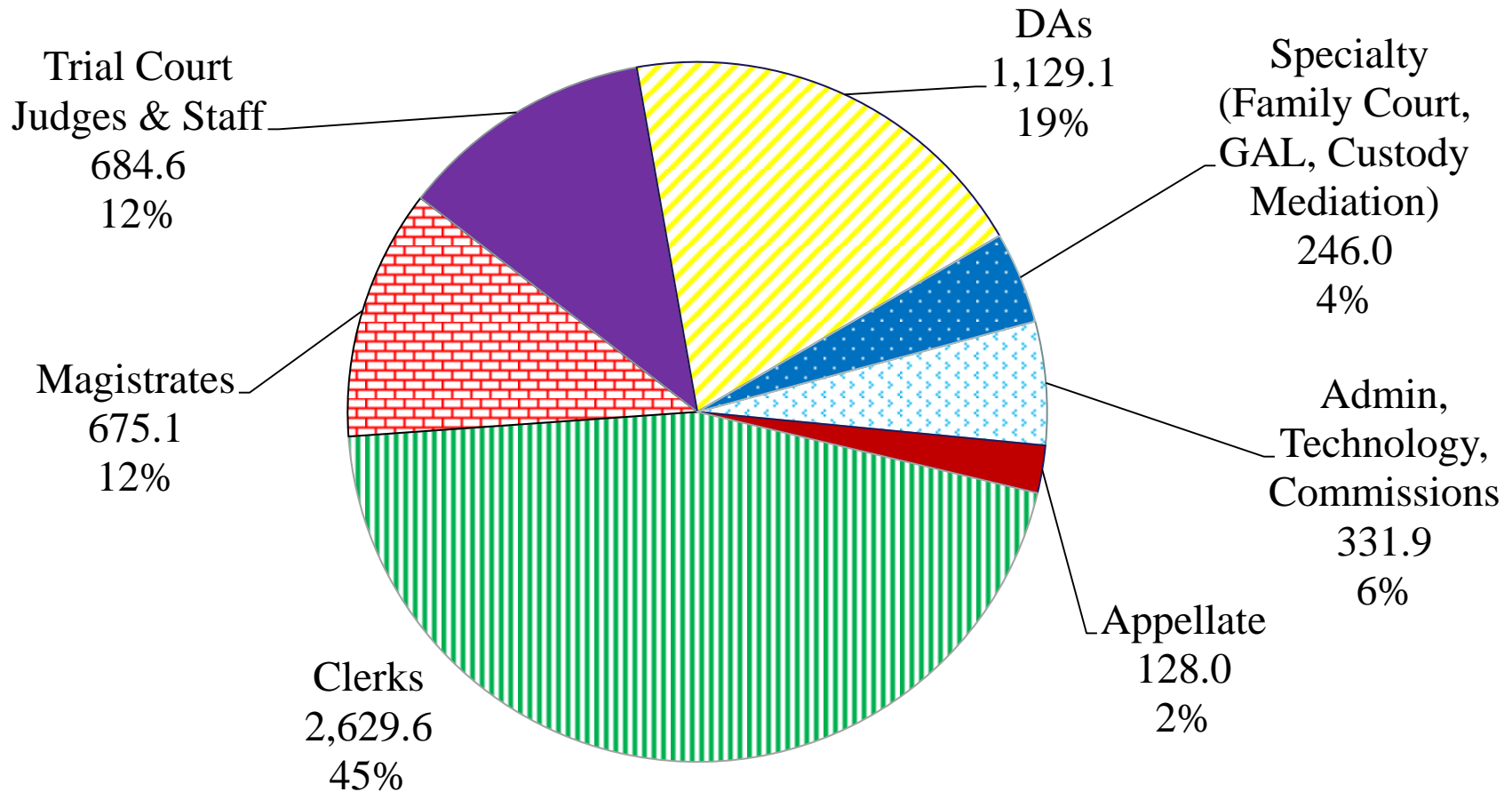
Total General Fund Budget: **\$469 million**



Source: Authorized Budget, December 31, 2014

# AOC Personnel FY 2014-15

Total General Fund FTE: **5,824.3**



Source: BEACON, December 31, 2014



# Recent Legislative Actions: 2013-15

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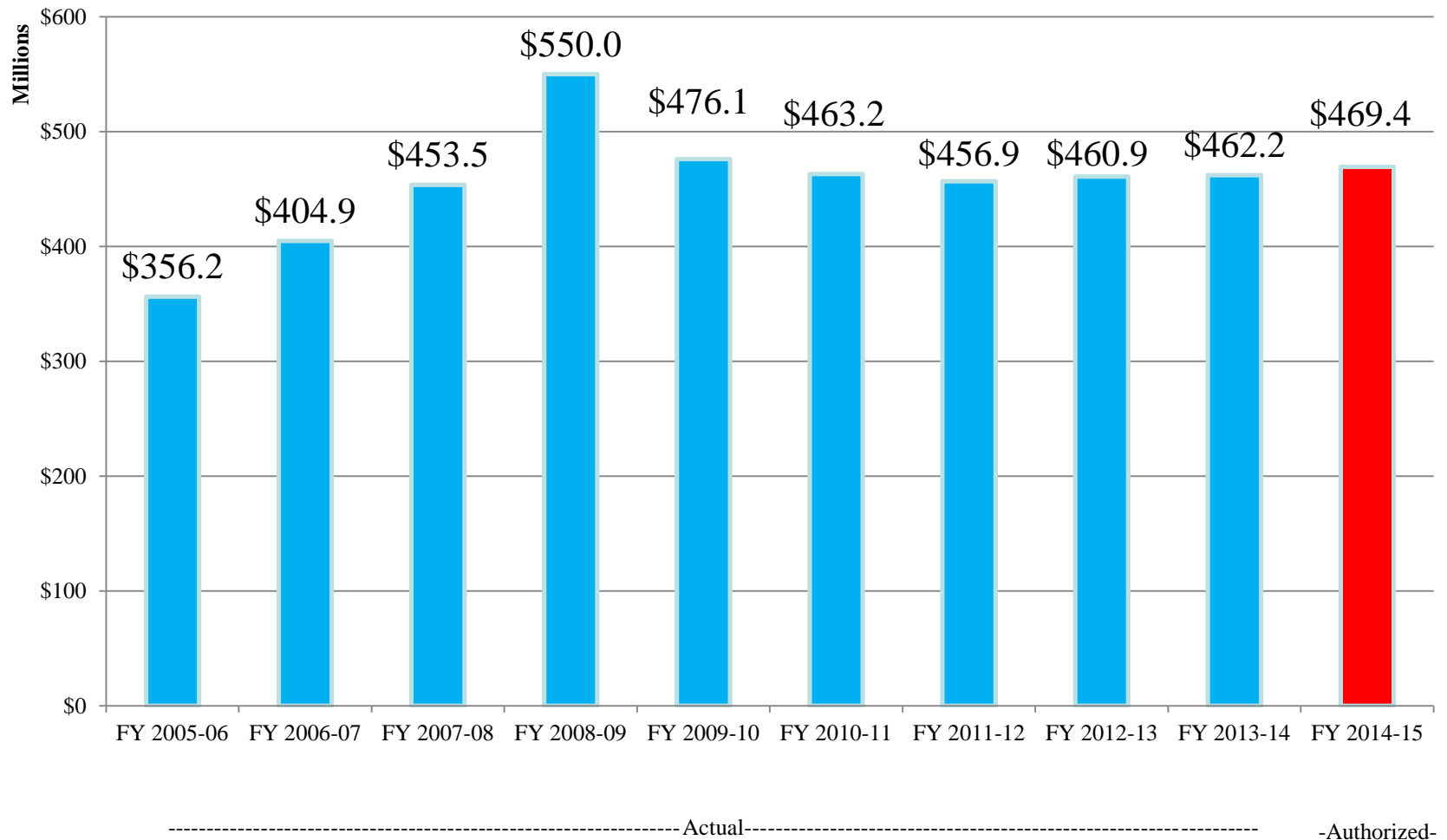
## 2013

- Administrative Budget Reduction: (\$4.0 million)
  - Additional Magistrate Funding: \$1.0 million
  - Funds for Interpreters, Witnesses, and Juries: \$1.0 million
  - Local Hospital Toxicology: \$0.5 million NR
- TOTAL: (\$2.0 million)**

## 2014

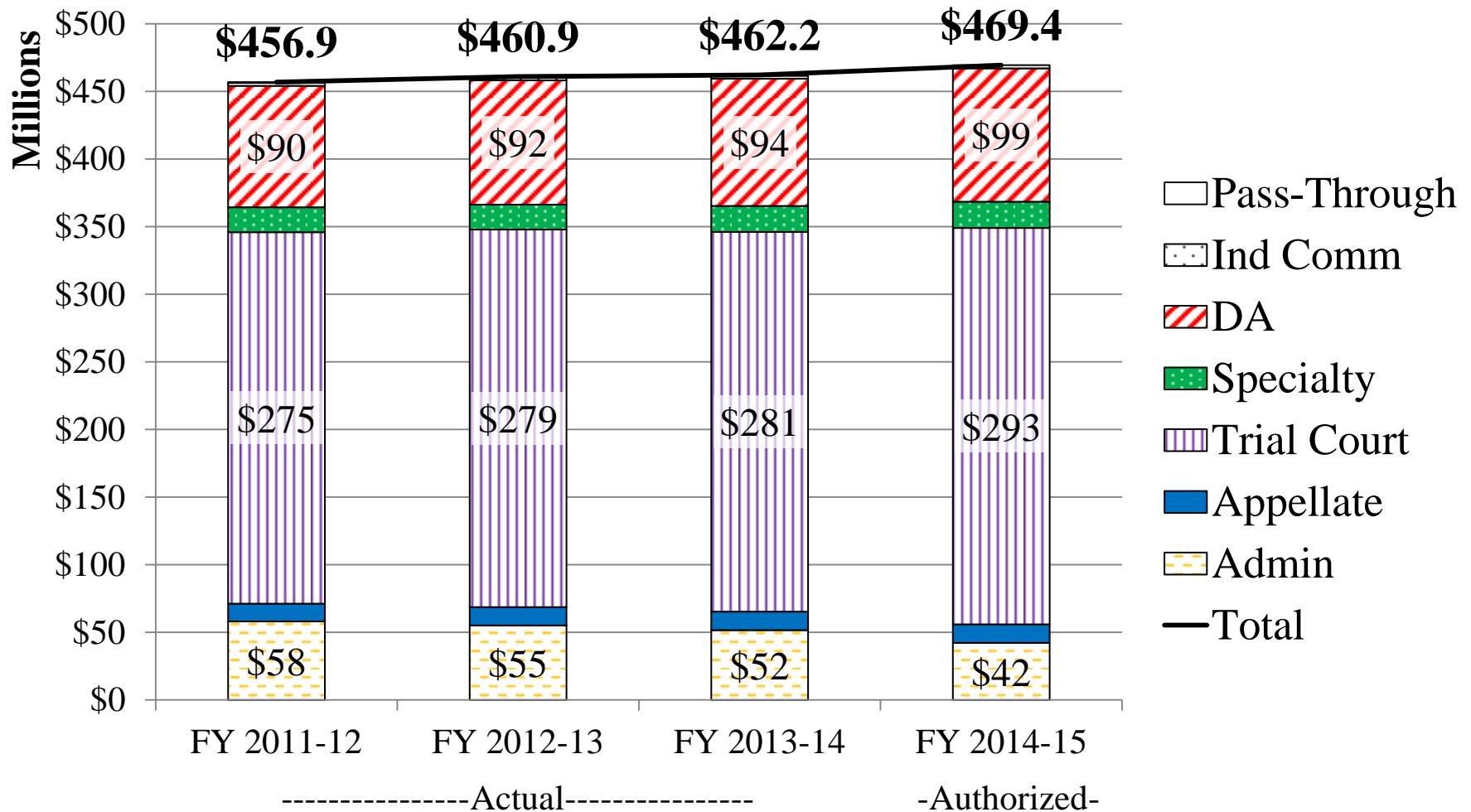
- Salary & Benefits Reserve: \$11.6 million
    - Includes restoration of Clerk and Magistrate Pay Plans
  - Admin Reduction: (\$2.9 million)
  - Technology Services: (\$500,000)
  - Access to Civil Justice Pass-through: (\$671,250)
- TOTAL: \$7.5 million**

# AOC GF Budget, FY 2005-06 to FY 2014-15



Source: NCAS, FY 2005-06 to FY 2014-15

# AOC GF Budget, FY 2011-12 to FY 2014-15

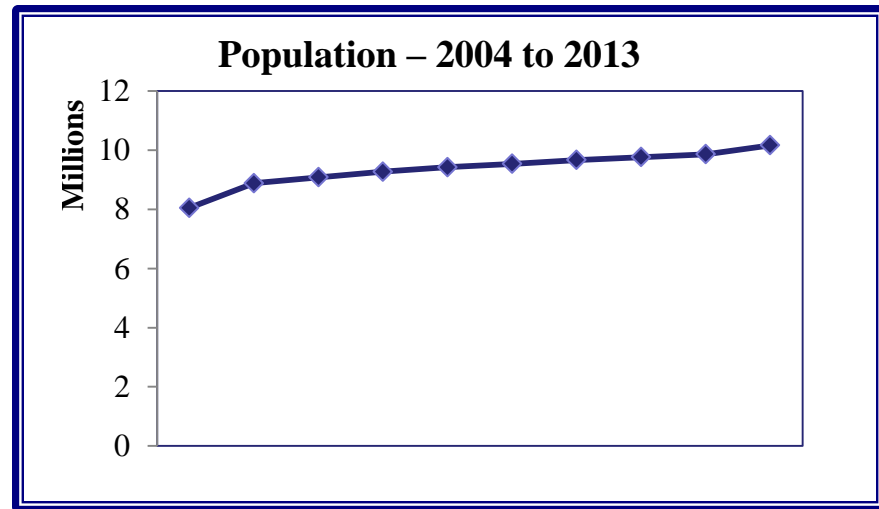


Source: NCAS, FY 2011-12 to FY 2014-15

# JPS Budget Drivers

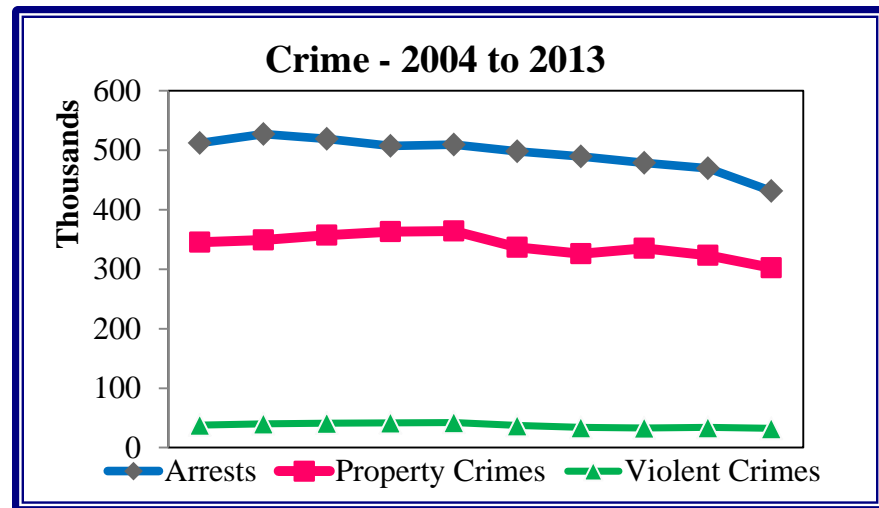
## Population

- Courts
- Highway Patrol
- Consumer Protection
- Standards Commissions



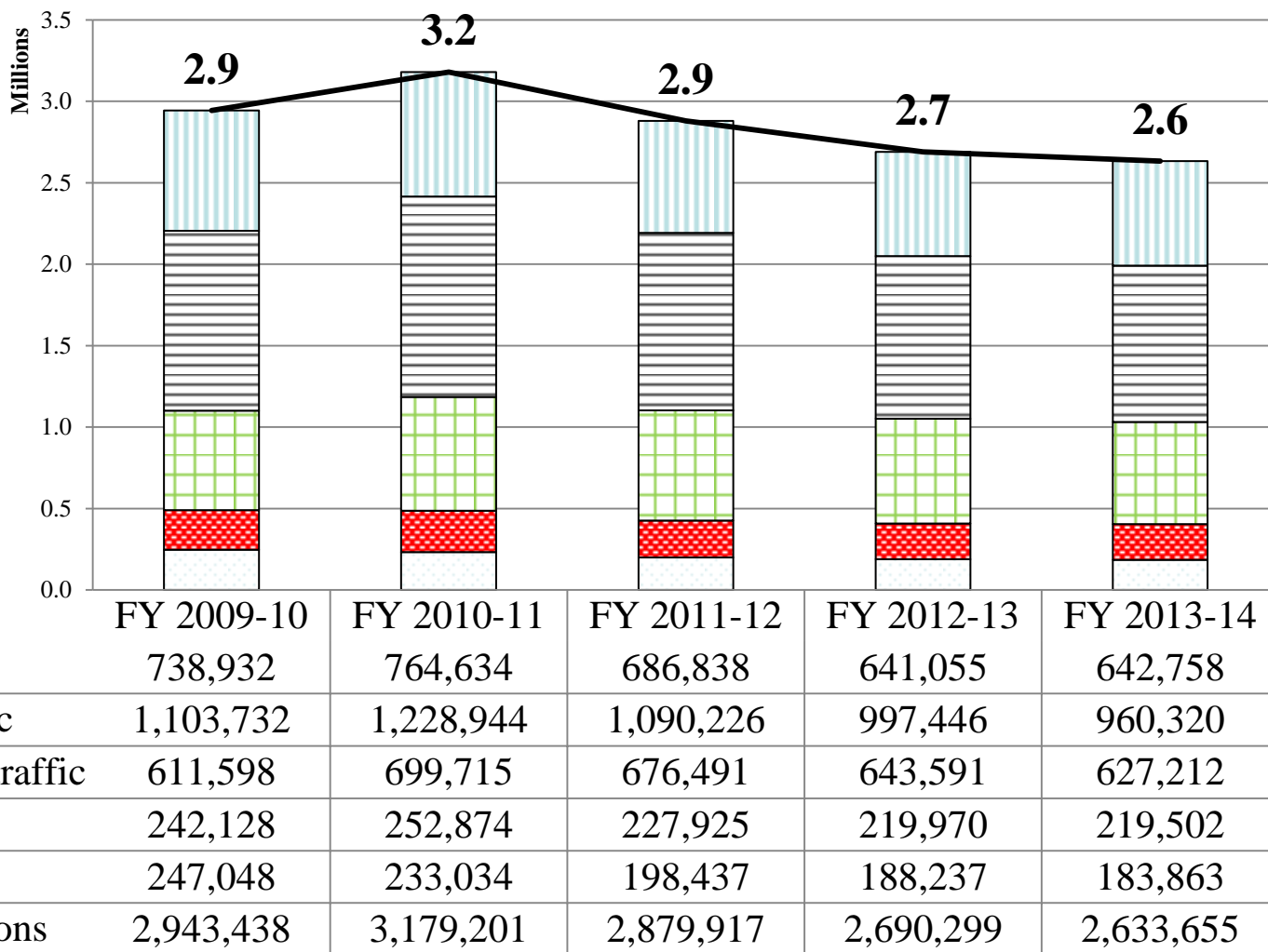
## Crime

- Courts
- Law Enforcement
- Prisons



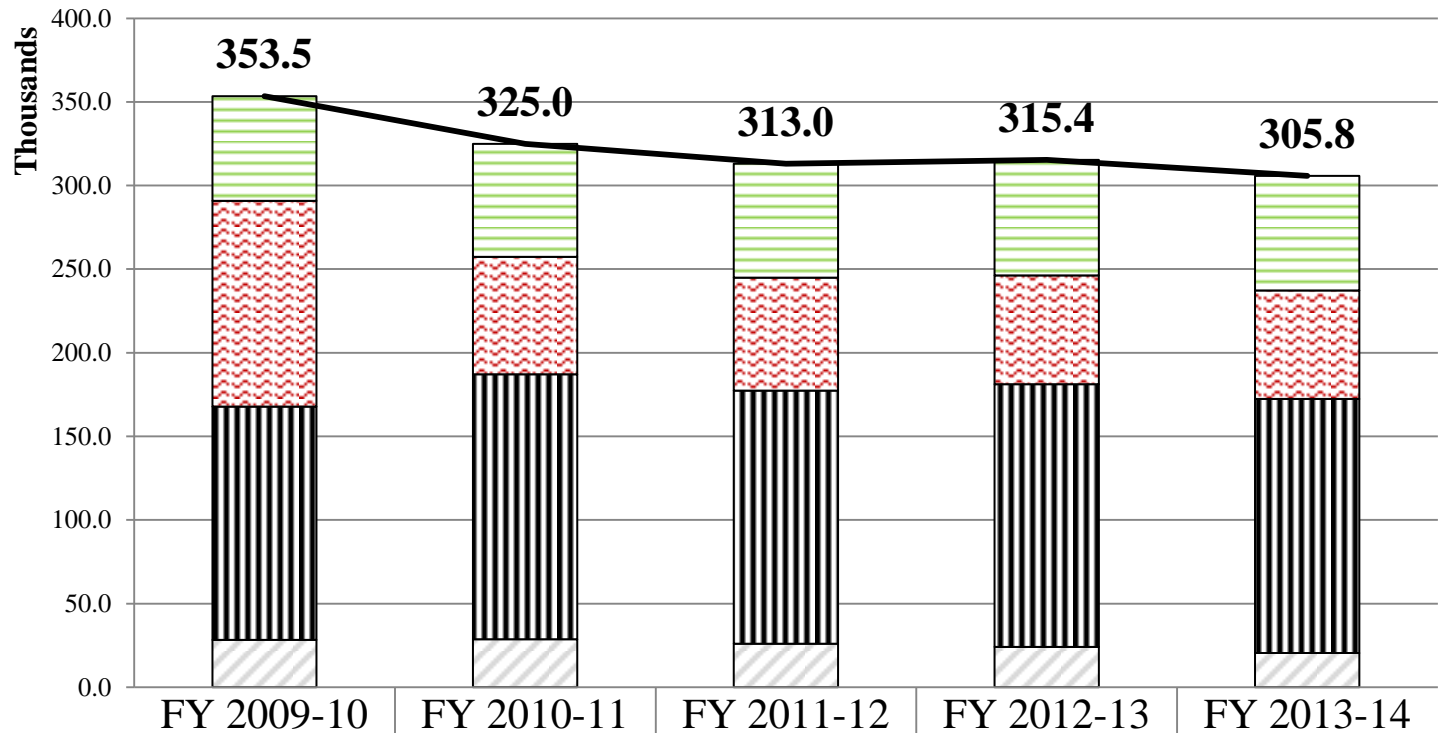
Source: NC Data Center (LINC)

# District Court Dispositions



Source: AOC

# Superior Court Dispositions

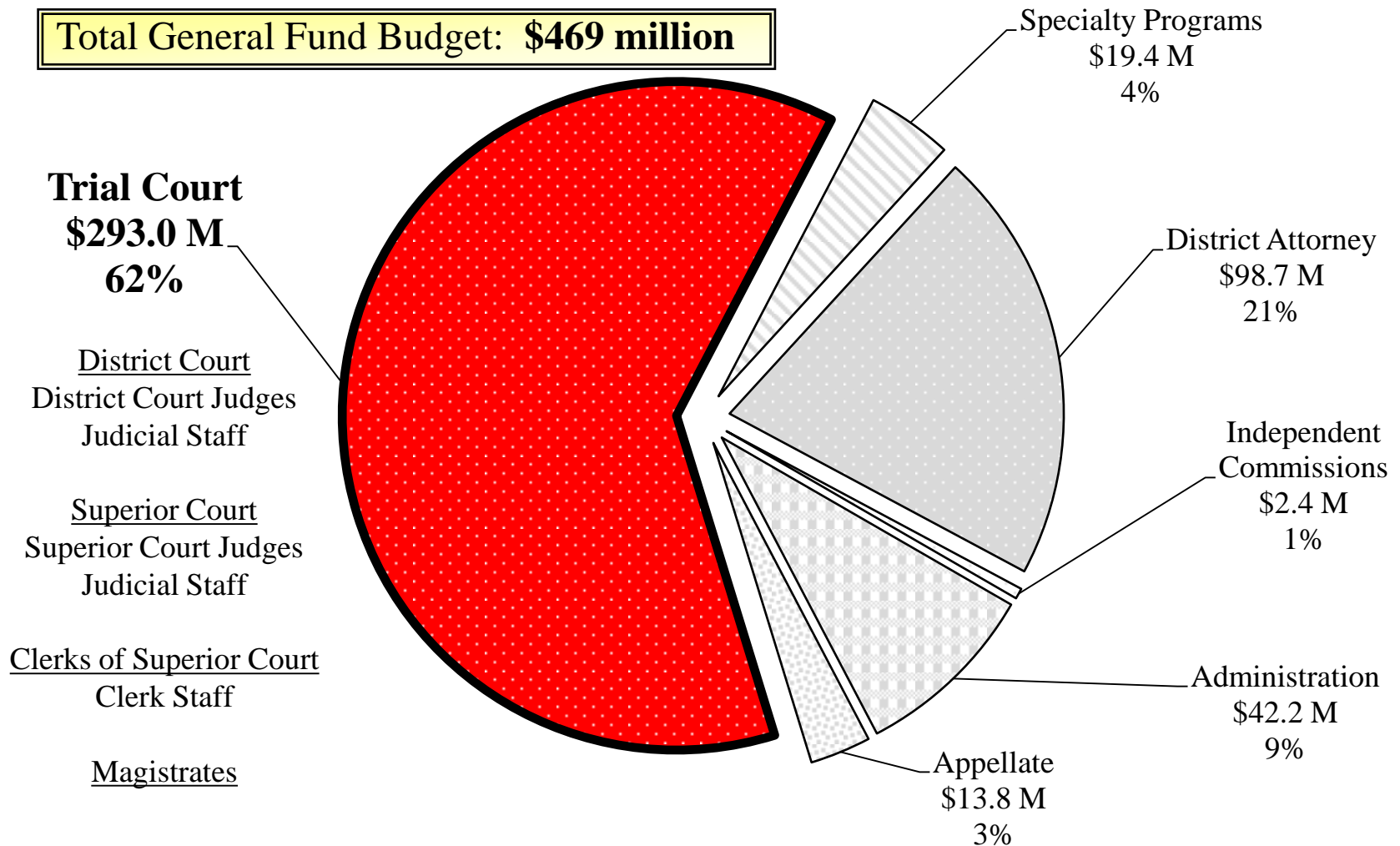


Estates	FY 2009-10	FY 2010-11	FY 2011-12	FY 2012-13	FY 2013-14
Special Proceedings	62,530	67,636	68,149	69,088	68,426
All Criminal	123,219	70,305	67,462	65,239	65,024
Civil	139,410	158,337	151,498	157,100	151,892
Total	28,305	28,725	25,939	24,002	20,424
	353,464	325,003	313,048	315,429	305,766

Source: AOC

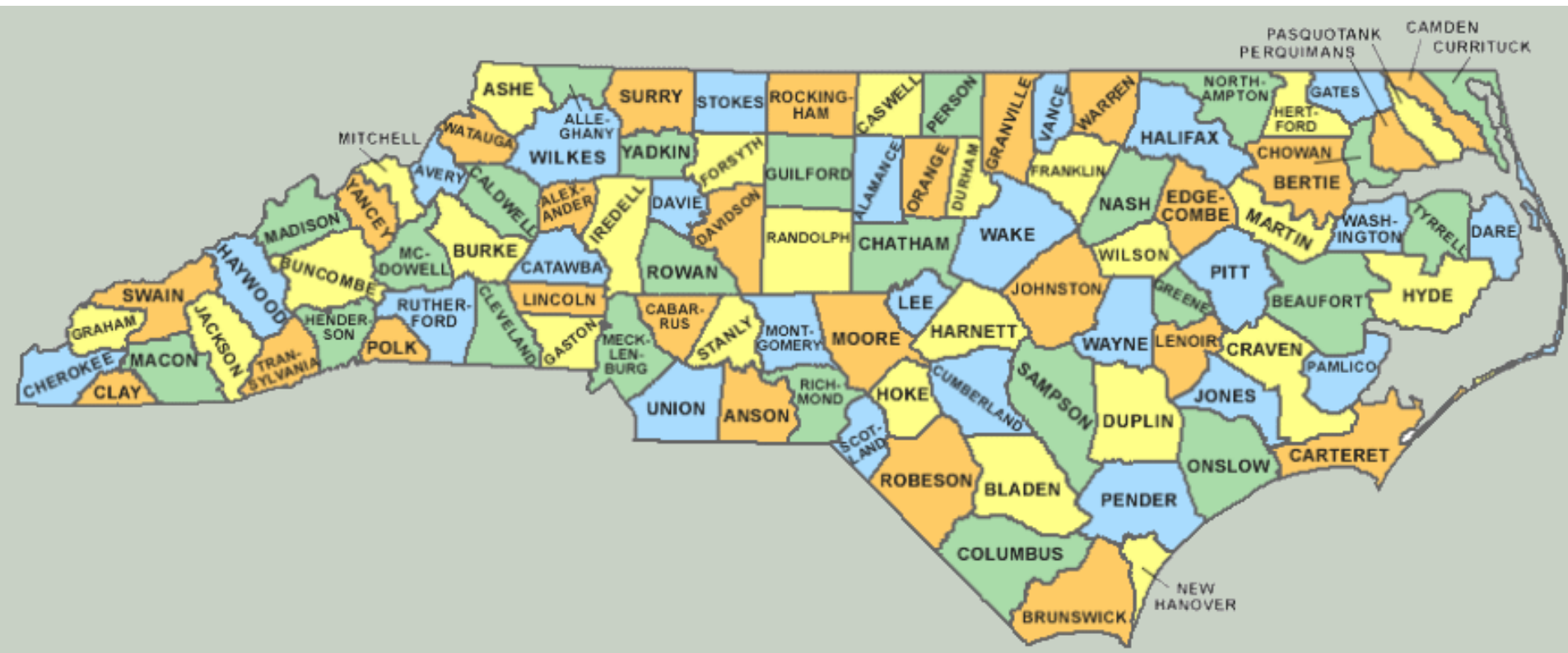
# AOC Budget By Program FY 2014-15

**Total General Fund Budget: \$469 million**



Source: Authorized Budget, December 31, 2014

# County-Level Court Personnel





# Clerks of Superior Court

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- Administrative, clerical, and recordkeeping functions of trial courts
- Clerk is Judge of Probate
- Original Jurisdiction: Probate and Estates, Special Proceedings (Condemnation, Adoptions, Partitions, Foreclosures, etc.), may accept guilty pleas or admissions of responsibility and enter judgments in certain cases
- Collection and disbursement of court costs (fees, fines, forfeitures, restitution)

Clerks of Superior Court: 100 FTE

Assistant Clerks (Division Chiefs): 613 FTE

Deputy Clerks: 1,912.6 FTE

Office Staff: 2 FTE

Conference of Clerks: 2 FTE

TOTAL: 2,629.6 FTE



*Source: BEACON, December 31, 2014*

# Magistrates

---



## Original Jurisdiction:

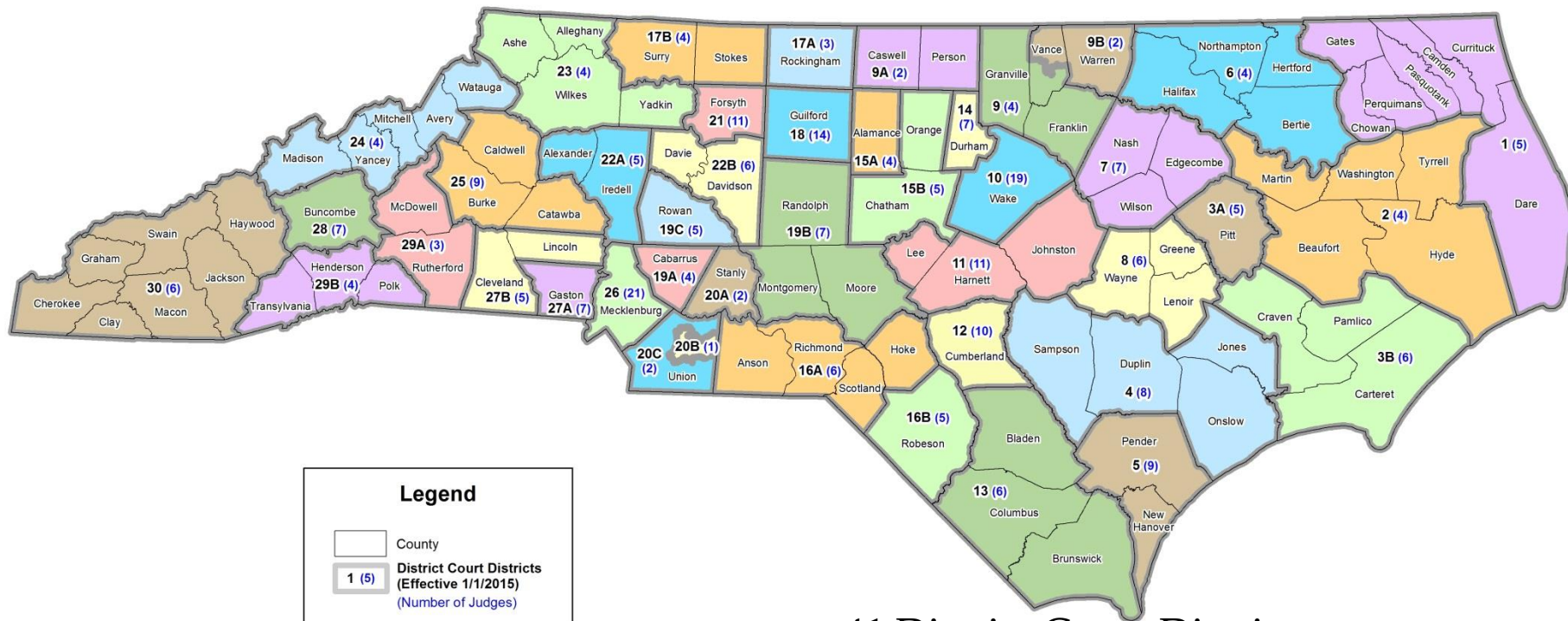
- Issue Warrants
- Set Bail
- Accept Guilty Pleas for Minor Misdemeanors and Infractions
- May accept waivers for worthless check cases
- Small Claims (\$10,000 or less)
- Landlord Eviction Cases
- Suits for recovery of personal property and mechanics' liens

675.1 FTE

- Minimum of 3 magistrates per county

*Source: BEACON, December 31, 2014*

# District Court Districts (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-133.

Printed by the NC General Assembly, October 03, 2014.



# District Court

---

- Original Jurisdiction:
  - Misdemeanor cases,
  - Probable cause hearings,
  - Guilty/no contest pleas in certain felony cases
  - Civil cases \$25,000 or less
  - Juvenile Proceedings
  - Domestic Relations
  - Mental Health Hospital Commitments

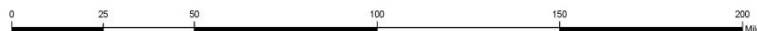
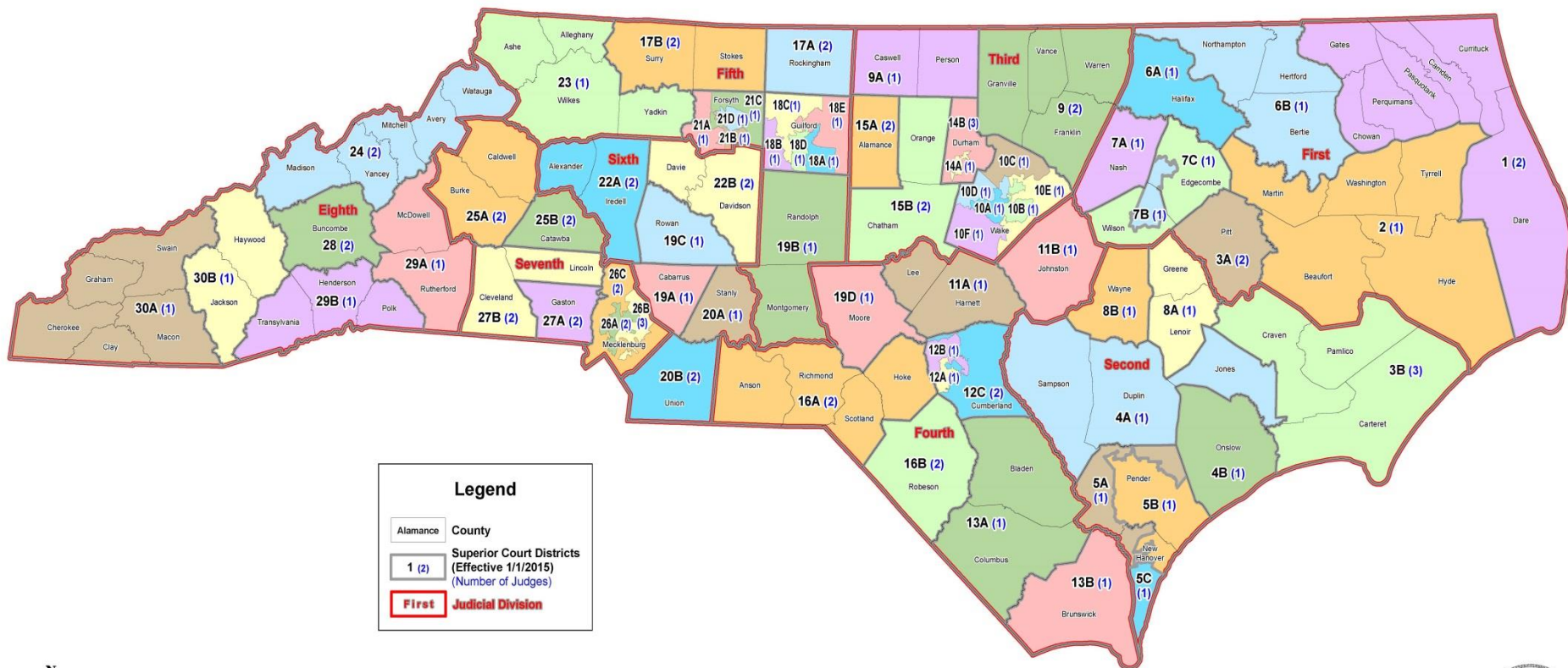
District Court Judges: 270 FTE

District Court Judicial Staff: 84.8

TOTAL: 354.8 FTE

*Source: BEACON, December 31, 2014*

# Superior Court Districts and Judicial Divisions (Effective 1/1/2015)



Not depicted here is one at-large judgeship in Union County, designated as district 20D.

Map based on G.S. 7A-41

Printed by the NC General Assembly, October 08, 2014.



8 Superior Court Divisions  
50 Superior Court Districts  
112 Superior Court Judges

# Superior Court

---

- Original Jurisdiction:
  - All Felony Cases
    - Jury Trials
  - Civil Cases \$25,000 or more
  - Decisions of most administrative agencies

Elected Superior Court Judges: 97 FTE

Special Superior Court Judges: 15 FTE (includes Business Court Judges)

Superior Court Judicial Staff: 222.9

TOTAL: 334.9 FTE

*Source: BEACON, December 31, 2014*




# Special Superior Court Judges

---

- 12 special judges serve across the State in courts with additional judicial need as determined by the Chief Justice
- 3 special judges are Business Court Judges
- By the end of 2017, 13 special judges with 5 BC judges
- Nominated by the Governor for five-year terms
- Confirmed by the General Assembly starting this year



# Business Court

- Special venue of civil Superior Court
  - Complex and significant issues of corporate and commercial law assigned to a special judge
  - 3 Business Courts in NC:
    - Wake, Guilford, Mecklenburg
    - 233 pending cases in 2013
    - 18 on appeal
    - 32 inactive or stayed
    - 147 cases closed in 2012
    - 134 new cases assigned
- 
- A cartoon illustration of four men in business attire (suits and ties) standing in front of a large screen. The screen displays a stylized drawing of a building with a dome, possibly a courthouse or government building. The men are looking at the screen with varying expressions of interest and skepticism. The drawing is done in a simple, sketchy style with black lines on a white background.

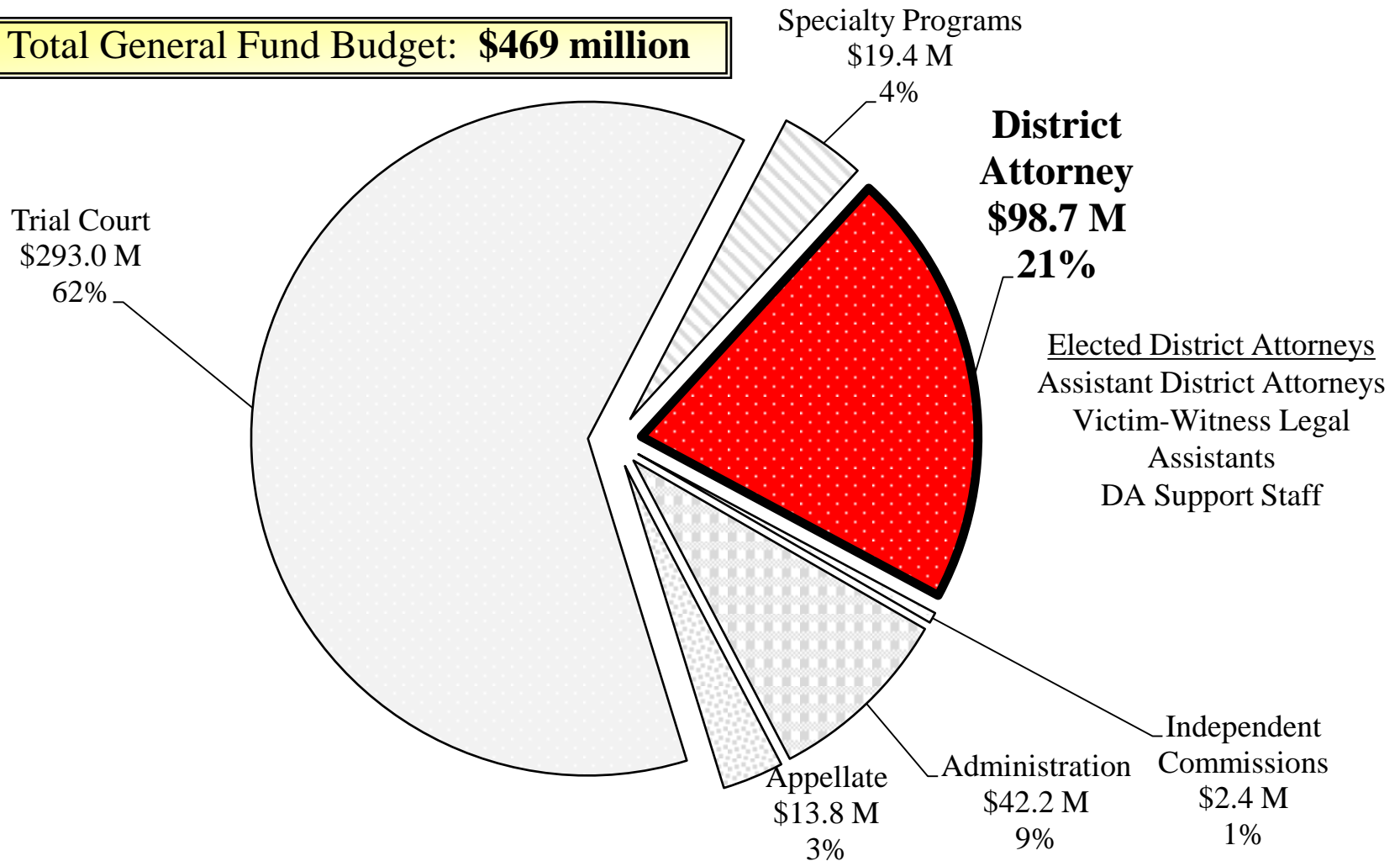


*"We're still the same great company we've always been, only we've ceased to exist."*



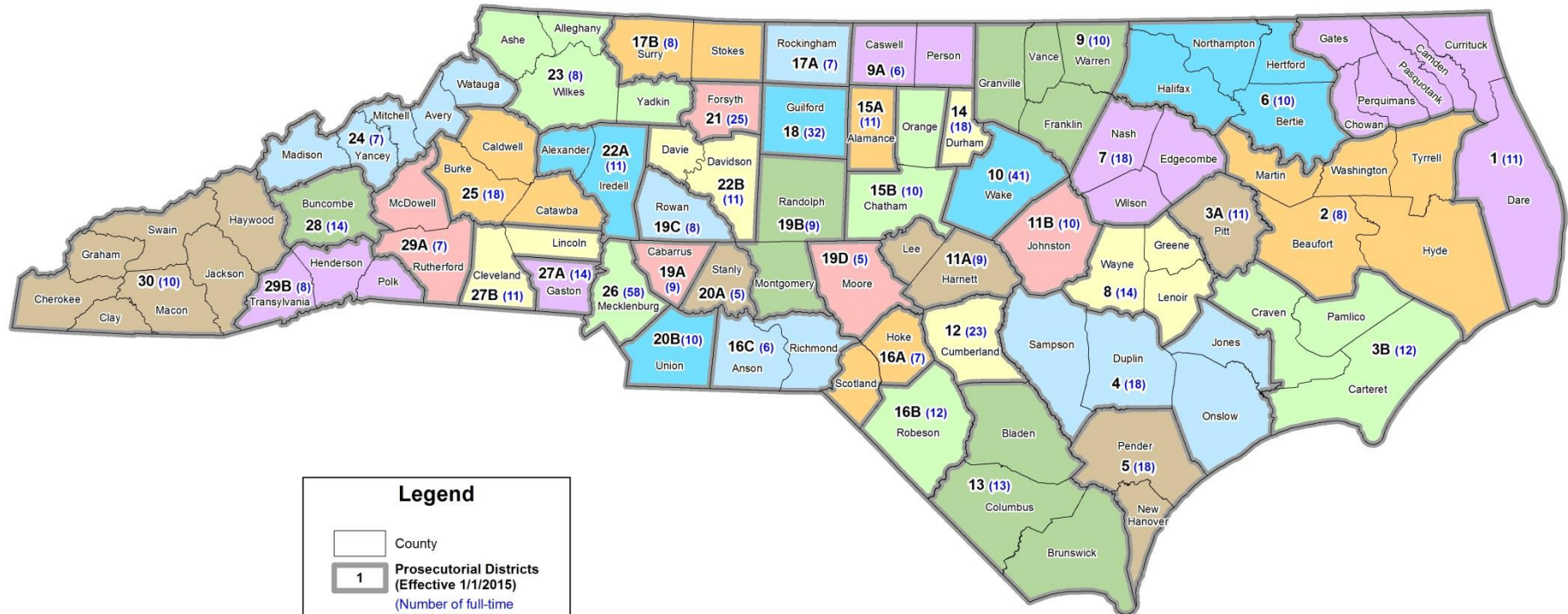
# AOC Budget By Program FY 2014-15

Total General Fund Budget: **\$469 million**



Source: Authorized Budget, December 31, 2014

# Prosecutorial Districts (Effective 1/1/2015)



44 District Attorneys  
44 Prosecutorial Districts



Map based on G.S. 7A-60 (a1)  
Printed by the NC General Assembly, October 6, 2014.



# District Attorneys

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- DAs are the elected representatives of the state in all criminal and some juvenile matters
- Prosecute all criminal cases filed in Superior and District Courts
- Advise local law enforcement
- Prepare the criminal trial docket (“calendaring”)
- At least 4 full-time assistant district attorneys per district

District Attorneys: 44 FTEs

ADAs: 596 FTEs

Victim-Witness Legal Assistants: 386.5 FTEs

Investigators: 40.6 FTEs

DA Support Staff: 59 FTEs

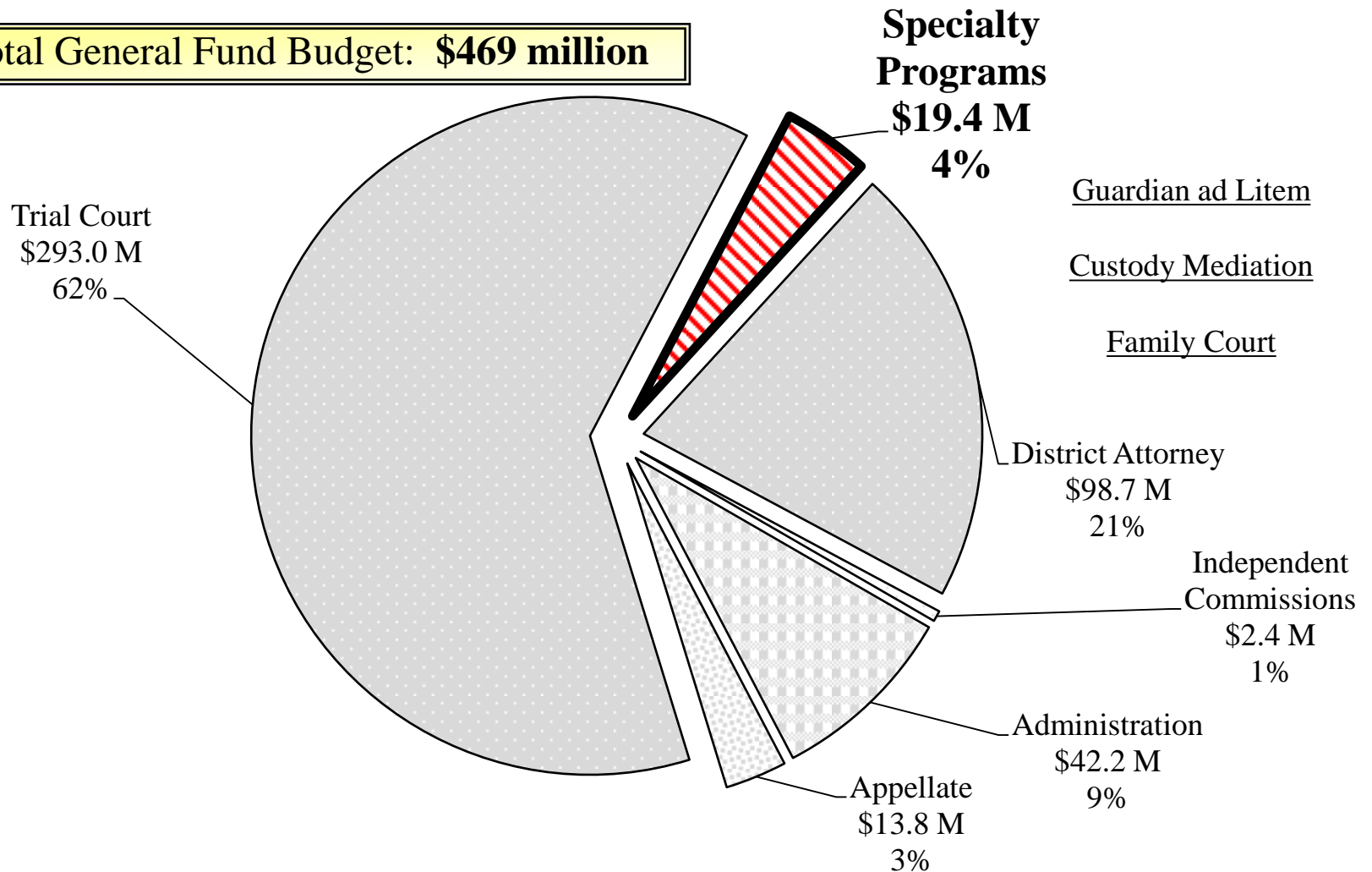
Conference of DAs: 3 FTEs

**TOTAL: 1,129.1 FTEs**

Source: BEACON, December 31, 2014

# AOC Budget By Program FY 2014-15

Total General Fund Budget: \$469 million



Source: Authorized Budget, December 31, 2014

# Guardian ad Litem Program

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- When petition alleging abuse or neglect of a juvenile is filed, judge appoints to advocates for the child in court:
  - Guardian ad Litem volunteer
  - Paid or pro bono attorney
- GAL advocates are supervised, supported, and trained by program staff (145.1 FTE):
  - 3 regional administrators
  - 137 field staff positions
  - 8 administrative staff positions
    - one is grant-funded



# Custody Mediation

---

- Provides neutral, non-adversarial court-ordered mediation services in cases involving custody and/or visitation of minor children parenting agreements.
- In FY 2012-13:
  - 18,830 people attended orientation
  - 11,307 mediation sessions held
  - 10,489 child custody cases mediated
  - 5,105 parenting agreements drafted
- 46.6 FTE:
  - 38.6 FTE custody mediators
  - 8 FTE support staff

# Family Court

DUDE COURT



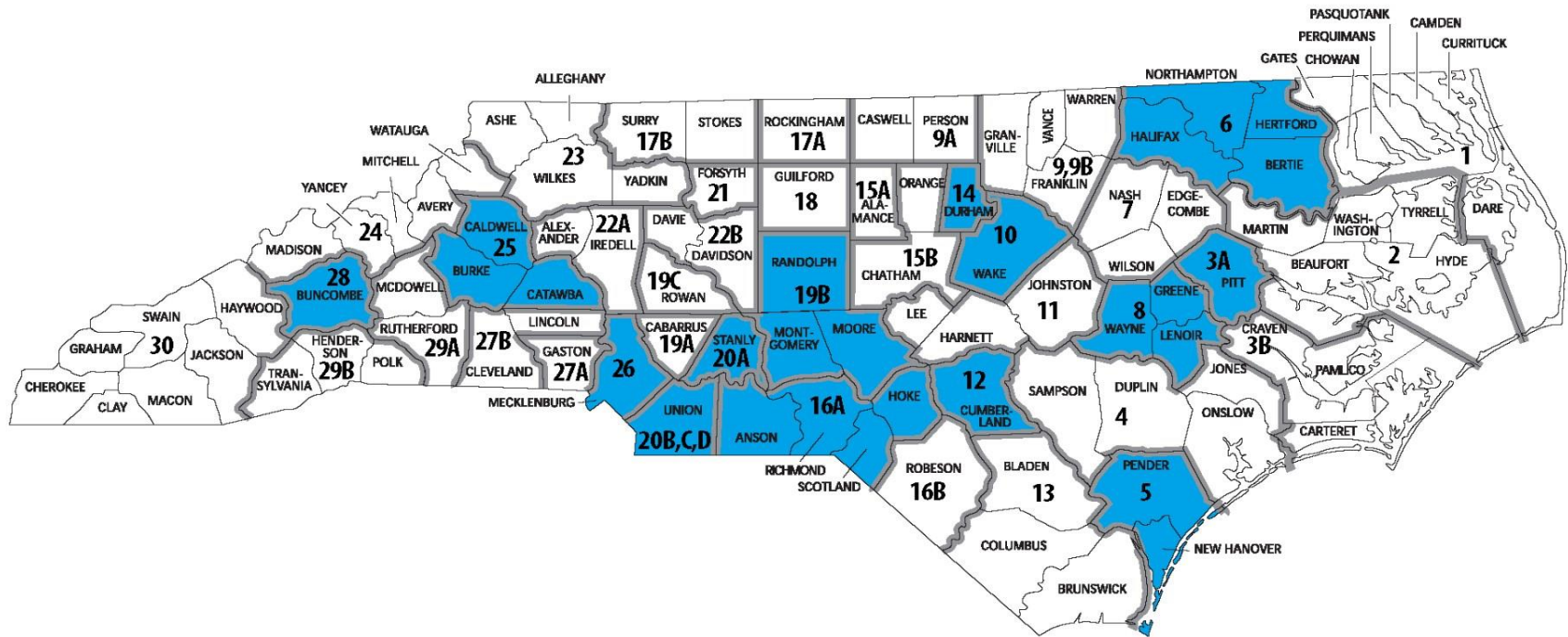
*"Does your client wish to plead 'sweet' or 'lame'?"*

- Consolidate all of a family's legal issues before a single District Court judge or team of judges
- Cases involving:
  - juvenile delinquency
  - abuse, neglect and dependency allegations
  - termination of parental rights
  - domestic violence
  - child custody and visitation rights
  - divorce and related financial issues
- 13 of 42 districts
- Cost: \$2.9 M for 45.2 FTE
- Statewide Expansion: \$9.6 M for 110 FTE



# North Carolina Family Court Districts

Effective January 1, 2015



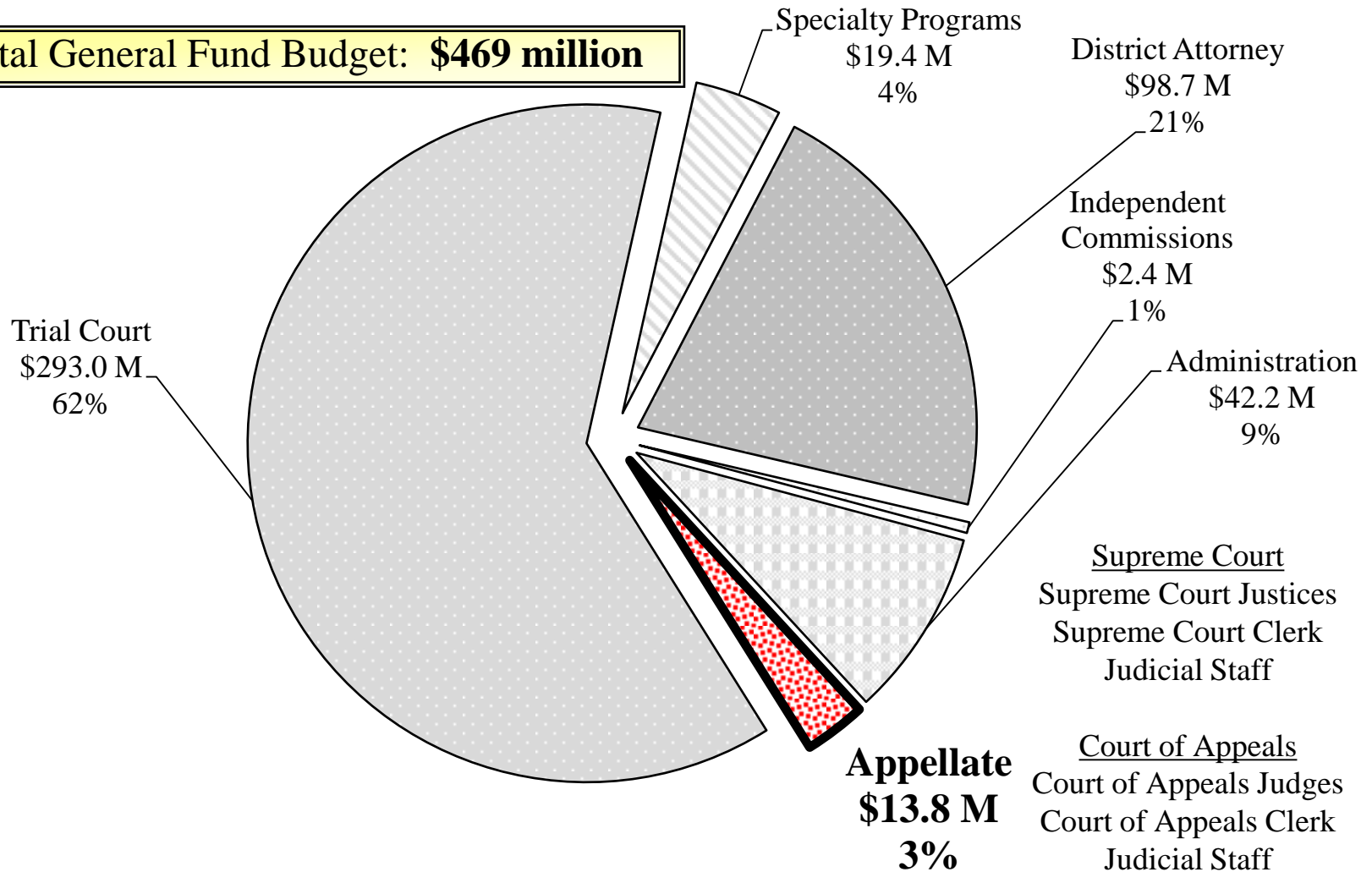
Note: Districts 9 and 9B, and districts 20B, 20C, and 20D are districts for electoral purposes only. They are combined for administrative purposes.

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School of Government  
The University of North Carolina at Chapel Hill



# AOC Budget By Program FY 2014-15

**Total General Fund Budget: \$469 million**



Source: Authorized Budget, December 31, 2014

# Court of Appeals

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- Civil and Juvenile Appeals from District Courts
- Appeals in non first-degree capital murder criminal cases from Superior Court
- State agency decisions

# Court of Appeals

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- Chief Judge Linda McGee
- 14 Judges of the Court of Appeals
- 30 Research Assistants
- 15 Executive Assistants
- 10 in Court of Appeals Clerk's Office
- 13 Staff Attorneys
- **Total: 83 FTE**



*Source: BEACON, December 31, 2014*

# Supreme Court

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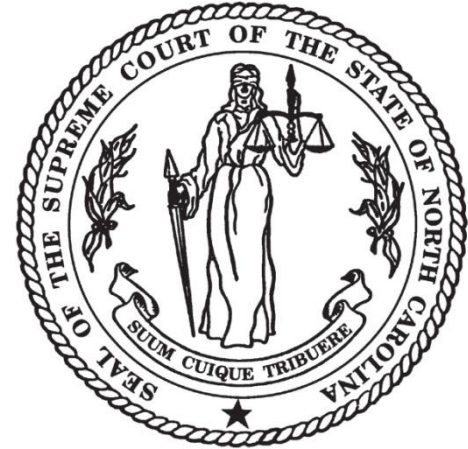


- Constitutional questions
- Cases in which the Court of Appeals has had dissent
- Cases of significant public interest
- Cases involving legal principles of major significance
- Appeals in first-degree capital murder cases in which the defendant has been sentenced to death
- Appeals or final orders in Utilities Commission general rate cases
- Redistricting cases

# Supreme Court

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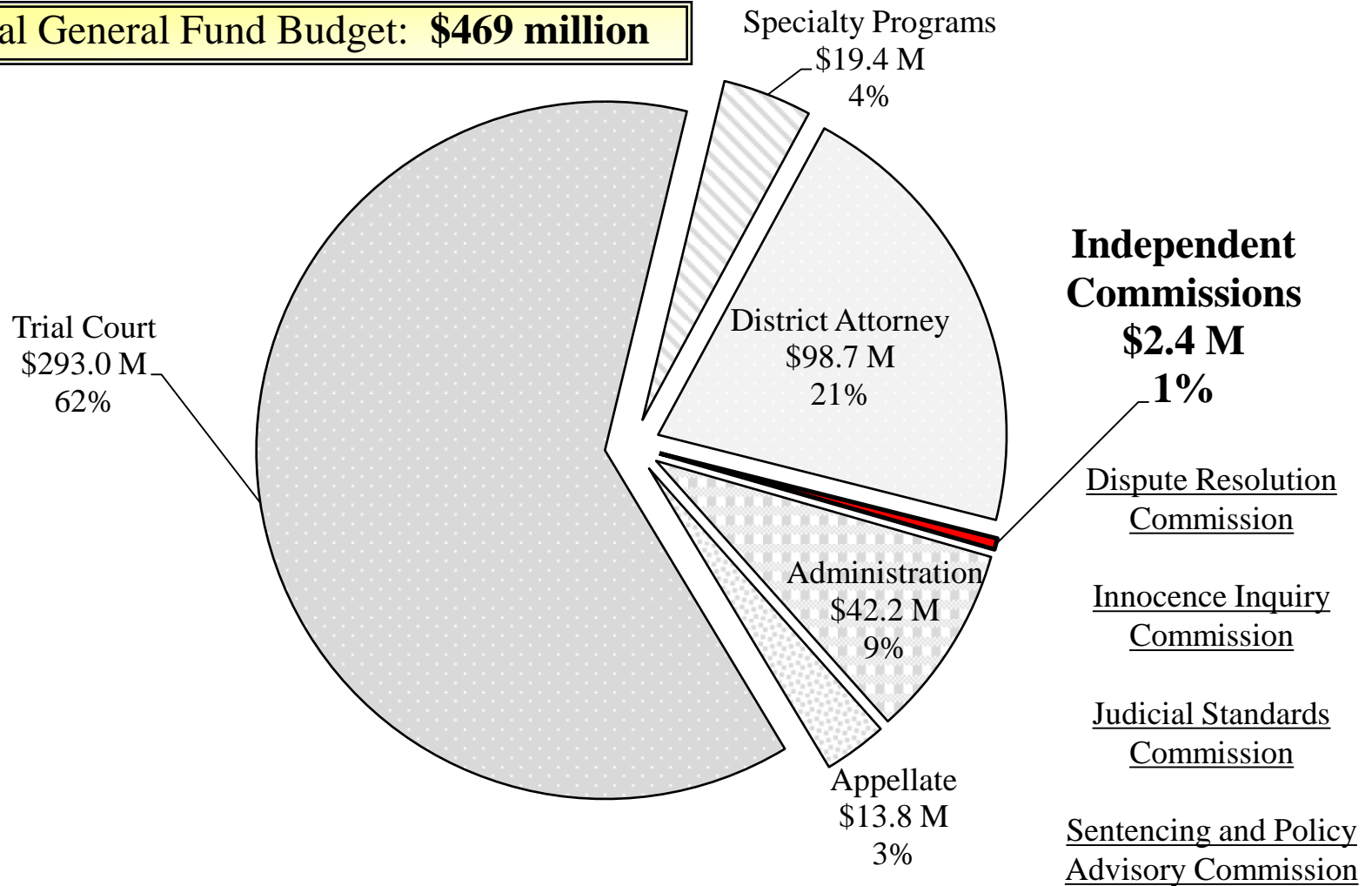
- Chief Justice Mark Martin
- 6 Associate Justices
- 14 Research Assistants
- 8 Executive Assistants
- 4 in Supreme Court Clerk's Office
- 12 Other Staff (Reporters, Library, Other Staff)
- **Total: 45 FTE**



*Source: BEACON, December 31, 2014*

# AOC Budget By Program FY 2014-15

Total General Fund Budget: **\$469 million**



Source: Authorized Budget, December 31, 2014

# Independent Commissions

---

## Dispute Resolution Commission: 2.5 FTE

- certifies and regulates private mediators who serve NC courts

## Innocence Inquiry Commission: 8 FTE

- reviews, investigates, and hears post-conviction innocence claims if new evidence of innocence has come to light

## Judicial Standards Commission: 5 FTE

- considers complaints against state district, superior, and appellate court judges and justices and, where appropriate, makes recommendations for discipline

## Sentencing and Policy Advisory Commission: 10 FTE

- makes recommendations to the NCGA for modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options as necessary to achieve policy goals

Source: BEACON, March 15, 2014





QUESTIONS?

